IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 7TH NOVEMBER 2006 / 16TH KARTHIKA 1928

Bail Appl..No. 6436 of 2006()

OS.214/2005 of MUNSIFF COURT, CHALAKUDY
CRIME NO.406/2005 OF CHALAKUDY POLICE STATION.

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PETITIONER

DR. THOMAS, AGED 36, S/O. PATHIPARAMBAN
OUSEPH, KORATTY VILLAGE, THRISSUR DISTRICT.

BY ADV. SRI.T.N.MANOJ

RESPONDENTS:

STATE OF KERALA, THROUGH THE
S.I. OF POLICE, CHALAKUDY POLICE STATION.
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6436 of 2006

Dated this the 7th November, 2006.

O R D E R

Petitioner is the first accused in Crime No.406/2005 of Chalakudy Police Station, for the offence punishable under Sections 465, 468 and 471 IPC, read with Section 34 IPC. It is alleged that the petitioner, first accused, along with the power-of-attorney holder, 2nd accused, had forged certain documents, so as to use the same against the de facto complainant, a tenant of the petitioner, and also a Dental Doctor, as that of the petitioner herein.

2. Counsel appearing for the petitioner submits that the original documents had been produced in the civil suit, which has been filed against the de facto complainant, and the present criminal case is filed as an off-shoot, and to counter the averments contained in the civil court, O.S.No.214/2005, on the file the Munsiff's Court, Chalakudy.

3. I have heard the arguments advanced by the learned Public Prosecutor as well. I have also gone through the materials that are placed before me.

4. After considering the submissions made by either side, I dispose of the application, directing the petitioner to surrender before the Investigating Officer of Chalakudy Police Station, who is investigating the Crime No.406/2005 of that police station, on 14.11.2006, between 9.30 and 10 a.m.

5. The investigating officer shall interrogate the petitioner, and as the original documents are before the Munsiff's Court, Chalakudy, the Investigating Officer shall proceed against the petitioner, according to the law.

6. In the event of arrest of the petitioner, he shall be released on bail, on he executing a bond for Rs.20,000/= with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting him.

7. The petitioner shall appear before the Investigating Officer, as and when required, so that the investigation could be completed, as early as possible.

J.M. JAMES,
JUDGE

nj.